

FIRST REGULAR SESSION

SENATE BILL NO. 474

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR WRIGHT-JONES.

Read 1st time February 24, 2009, and ordered printed.

TERRY L. SPIELER, Secretary.

1830S.02I

AN ACT

To amend chapters 392 and 393, RSMo, by adding thereto two new sections relating to public utilities.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapters 392 and 393, RSMo, are amended by adding thereto

2 two new sections, to be known as sections 392.512 and 393.152, to read as follows:

392.512. A telecommunications company shall be considered a
2 public utility for the purposes of section 393.152, RSMo, and as such,
3 shall be subject to the provisions of section 393.152, RSMo, as
4 applicable to the provision of telecommunications service.

393.152. 1. A public utility, including a telecommunications
2 company under section 392.512, RSMo, may require a deposit or other
3 guarantee as a condition of new residential service only if:

4 (1) The customer has in an unauthorized manner interfered with
5 or diverted the service of a utility providing the same service situated
6 on or about or delivered to the customer's premises within the last five
7 years; or

8 (2) The customer is unable to establish an acceptable credit
9 rating under standards contained in tariffs filed with and approved by
10 the commission. The customer shall be deemed prima facie to have
11 established an acceptable credit rating if the customer meets any of the
12 following criteria:

13 (a) Owns or is purchasing a home;

14 (b) Is and has been regularly employed on a full-time basis for
15 at least one year;

16 (c) Has an adequate regular source of income; or

17 (d) Can provide adequate credit references from a commercial

18 credit source.

19 2. A public utility may require a deposit or guarantee as a
20 condition of continued residential service only if:

21 (1) The service of the customer has been discontinued by the
22 public utility for nonpayment of a delinquent account not in dispute;
23 or

24 (2) In an unauthorized manner, the customer interfered with or
25 diverted the service of the utility situated on or about or delivered to
26 the customer's premises.

27 3. A deposit or other guarantee shall not be required if the
28 customer has consistently paid a portion of his or her utility service
29 bill each month and has an undisputed arrearage of five hundred
30 dollars or less.

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Bill

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